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Attorneys for Defendant  
MAYTAG CORPORATION

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

STATE FARM GENERAL INSURANCE )  
CO., )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
MAYTAG CORPORATION, and DOES 1 )  
through 20 )  
 )  
Defendants. )

**No. 2:05-CV-00655-WBS-DAD**

**STIPULATED REQUEST TO MODIFY  
THE SCHEDULING ORDER AND  
REQUEST TO WITHDRAW  
JANUARY 18, 2006 STIPULATION  
AND [PROPOSED] ORDER**

Plaintiff State Farm General Insurance Co. ("State Farm") and Defendant Maytag Corporation ("Maytag") hereby make this stipulated request for an order to modify the scheduling

1 order pursuant to Local Rules 83-143 and 6-144 and respectfully withdraw its prior January 18,  
2 2006 Stipulation.

3 On August 4, 2005, the Court issued a Status (Pretrial Scheduling) Order after reviewing the  
4 parties Joint Status Report providing for the following deadlines:

5	<b>Disclosure of Expert Witnesses</b>	<b>January 31, 2006</b>
6	<b>Disclosure of Rebuttal Expert Witness</b>	<b>March 31, 2006</b>
7	<b>Close of Discovery</b>	<b>May 1, 2006</b>
8	<b>All Discovery Motions Heard</b>	<b>May 1, 2006</b>
9	<b>Last Day for Filing Motions</b>	<b>June 16, 2006</b>
10	<b>Final Pretrial Conference</b>	<b>August 28, 2006 at 10:00 a.m.</b>
11	<b>Trial Date</b>	<b>October 24, 2006 at 9:00 a.m.</b>

12 Subsequent to the Court's August 4, 2005 Scheduling Order, the parties have been diligently  
13 pursuing written and oral discovery, including expert examination of the subject machines at issue  
14 in this case. The parties now seek to continue certain deadlines from the August 4, 2005  
15 Scheduling Order because of difficulties in scheduling the depositions of the insureds in this matter  
16 due to an illness in the insured's family and also to allow the experts to arrange for and conduct a  
17 more detailed examination of the subject machines in a laboratory facility. To date, the deposition  
18 of the insured's has not been finalized, although the parties expect that the depositions can be  
19 scheduled in February, 2006. The expert's additional examination of the subject machines is  
20 currently scheduled to take place on February 21, 2006, and the experts will need some additional  
21 time after completing their inspections to prepare their expert reports. Therefore, the parties  
22 respectfully propose the following modifications to the Scheduling Order:

23	<b>Disclosure of Expert Witnesses</b>	<b>March 15, 2006</b>
24	<b>Disclosure of Rebuttal Expert Witness</b>	<b>April 17, 2006</b>
25	<b>Close of Discovery</b>	<b>June 16, 2006</b>
26	<b>All Discovery Motions Heard</b>	<b>June 16, 2006</b>
27	<b>Last Day for Filing Motions</b>	<b>July 21, 2006</b>
28	<b>Final Pretrial Conference</b>	<b>October 23, 2006 at 10 a.m.</b>

**Trial Date****December 12, 2006 at 9 a.m.**

On January 18, 2006, the parties submitted a similar Stipulation which did not propose any changes to the date of the Final Pretrial Conference or the Trial Date. However, plaintiff's counsel received a call from the Court's clerk suggesting that the proposed dates in the January 18, 2006 Stipulation would affect the Final Pretrial Conference and the Trial Date, and asked plaintiff's counsel to provide agreeable dates. In response, the parties now seek to withdraw the January 18, 2006 Stipulation and submit this Stipulated Request to Modify the Scheduling Order in its place which contain the parties' recommendations for a modification of the Final Pretrial Conference and the Trial Date.

This is the first extension of time sought by the parties. The parties' stipulated request to modify the Scheduling Order is not sought for the purpose delay but is intended to allow the parties to complete discovery in a timely and professional manner without resort to unnecessary discovery motions and third-party subpoenas.

Respectfully Submitted,

Dated: January 30, 2006

HUBERT &amp; YASUTAKE

\_\_\_\_\_  
/s/

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1  
2 Dated: January 30, 2006

HOLLAND & KNIGHT LLP


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/s/

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Attorneys for Defendant  
MAYTAG CORPORATION

IT IS SO ORDERED.

Dated: January 31, 2006

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE

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